

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF THE MEETING

October 14, 2024, 6:00 PM

The final minutes for this meeting are supplemented by an electronic recording of the meeting, which may be viewed online at www.lincolncity.org under the tab "Agendas, Packets, and Videos". The staff reports, resolutions, ordinances, and other documents related to this meeting are also available at the same location. This meeting is rebroadcast on Cable Channel 4. (See Channel 4 guide on the hour at <http://www2.lincolncity.org/program-guide/>).

APPROVED BY CITY COUNCIL

DATE: 10/28/2024

A. CALL TO ORDER

Mayor Wahlke called the meeting to order at 6:00 PM.

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Marci Baker	Councilor Ward 2	Present	
Todd Barker	Councilor Ward 1	Present	
Judy Casper	Councilor Ward 3	Present	
Riley Hoagland	Councilor Ward 2	Present	
Rick Mark	Councilor Ward 3	Present	
Mitch Parsons	Councilor Ward 1	Present	
Susan Wahlke	Mayor	Present	

Staff Present: Daphnee Legarza, City Manager; David James Robinson, City Attorney; Sgt. Weaver, Lincoln City Police Department; Alison Robertson, Economic Development and Urban Renewal Director; Kim Cooper Findling, Explore Lincoln City Director; Jeanne Sprague, Parks and Recreation Director; Richard Townsend, Planning and Community Development Director; Debbie Bridges, Finance Director; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Mayor Wahlke led The Pledge of Allegiance.

D. CONSENT AGENDA

MOTION:	Consent Agenda
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed

1. Oregon Liquor Control Commission Request for Limited On-Premises Sales License for Allies at the Coast

Councilor Baker pulled #1. Councilor Baker spoke about the box on page 6 that was not marked. City Attorney Robinson spoke regarding the reasons the City can deny an OLCC application.

2. Regular Meeting – Minutes of Regular Meeting – September 23, 2024, 6:00 PM

3. Regular Meeting – Minutes of Work Session – October 7, 2024, 5:00 PM

E. COUNCIL DELIBERATIONS

None

F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS

Debi & Scott Rowland spoke regarding the Grubs on food truck and asked for a text amendment change to allow generators on mobile food carts.

Norman Berkshire spoke regarding a small boat launch for the Siletz Bay. Mr. Berkshire suggested a couple of places.

Kerri Biddle spoke regarding a complaint that she filed on August 26. Ms. Biddle stated that she has not heard anything from the City.

Mike Holt the District Captain of the Convention of States Action Committee, spoke regarding Article 5 of the Constitution. Mr. Holt asked for a non-binding resolution to call for a convention of States. Mr. Holt gave a handout to the Council.

Ms. Legarza summarized email comments; Melody Wilkins commented in support of the Farmers' Market; and Amy O'Connor, Shannon Valdivia, Pam Dishong, Amy Williams, Eric Williams, Mercedes Galasso, Debi Price-Rowland, Shana Watson, Kitty Chadwick, spoke in favor of a code variances for the Grubs On.

G. PRESENTATIONS

4. Proclamation for the Central Coast Humane Society

Mayor Wahlke read the proclamation.

5. Presentation - Coastal Support Services

Ms. Cherryholmes was unable to attend the meeting. Mayor Wahlke said Ms. Cherryholmes didn't have any additional information to add other than what they've already said and they are working on opening 7 days a week so that we can have 24/7 coverage for those experiencing homelessness throughout the entire Winter season. Ms. Cherryholmes apologized for not being able to make it.

6. Presentation - Northwest Coastal Housing

Sheila Stiley, Executive Director for Northwest Coastal Housing gave a presentation regarding the project completed and upcoming plans. The Council had a discussion with Ms. Stiley regarding the information provided.

7. Presentation - Helping Hands Reentry Program

Michelle Gaylor, Facilities Director presented the Council with an update on the reentry program. The Council had a discussion with Ms. Gaylor about the information provided.

H. PUBLIC HEARING / ORDINANCE

None

I. PUBLIC HEARINGS / PUBLIC COMMENTS

1. Public Hearing- Pacific Power easement Schooner Creek Discovery Park

Mayor Wahlke opened the public hearing at 6:59 PM. David James Robinson, City Attorney reviewed the staff report. No Citizens were present for public comment. Mayor Wahlke closed the public hearing at 7:02 PM.

2. Public Hearing Ord. 2024-10 ZOA 2024-04 (Subdivision Lot Sizes)

Mayor Wahlke opened the public hearing at 7:04 PM. Richard Townsend, Planning Director reviewed the staff report. Mr. Townsend summarized the comments received by email. The Council had a discussion with Mr. Townsend regarding the information provided. Genevieve Atwood spoke against this ordinance. Councilor Baker asked the staff if objective criteria were considered. Mr. Townsend said if that was the wish of the Council they could bring it back. Mayor Wahlke closed the public hearing at 7:22 PM.

MOTION:	Motion to Close the Public Hearing and Record Ordinance 2024-10 for ZOA 2024-04 An Ordinance Amending the City of Lincoln City Municipal Code, Title 16 (Subdivisions), Repealing Sections 16.12.210 and 16.12.220
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Todd Barker, Councilor Ward 1
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed via Voice Vote

3. Public Hearing Ordinance 2024-11 ZOA 2024-05 (Nelscott Cottage Residential)

Mayor Wahlke opened the public hearing at 7:29. PM. Richard Townsend, Planning Director reviewed the staff report and showed a presentation.

Mr. Townsend summarized the comments received by email from; Sheri Walker, Doug Wheldon, Adam Morris, Jeralyn Coursey, Kim Kolbow, Wayne Sitkei, Selena Somera, Don Flaherty, Darlene Evans, Rock Your World, Eric & Kayla Soleglad, Daniel Kolbow, Shannon Valdivia, Mysti Maka, Cathy Asher, L Crowley, Patricia Cochran, Wendelin Brown, all were against the ordinance. Ben Stanford, Richard Briggs, and Kelsey Stanford were in favor of the ordinance. The Council had a discussion with Mr. Townsend regarding the information provided. Rich Briggs spoke in favor of the ordinance. Nancy Wyatt spoke against the ordinance. Trapper Wyatt spoke against the ordinance. Tim Smith spoke against the ordinance. Tyler Tredway spoke against the ordinance. Sheri Walker spoke against the ordinance.

Councilor Baker gave a statement regarding her individual participation at the Planning Commission meeting. Councilor Baker had a comment about locations to increase the density. Mayor Wahlke closed the public hearing at 8:43 PM.

MOTION: Motion to Close the Public Hearing and the Record for Ordinance 2024-11 for ZOA 2024-05 An Ordinance Amending the City of Lincoln City Municipal Code, Title 17 (Zoning),

MOVER: Judy Casper, Councilor Ward 3

SECONDER: Mitch Parsons, Councilor Ward 1

AYES: Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke

RESULT: Passed via Voice Vote

4. Public Hearing Ordinance 2024-12 ZOA 2024-07 (Building Lot Coverage)

Mayor Wahlke opened the public hearing at 8:46 PM. Richard Townsend reviewed the staff report. Mr. Townsend summarized the comments received by email from; Sheri Walker, Doug Wheldon, Adam Morris, Jeralyn Coursey, Kim Kolbow, Wayne Sitkei, Selena Somera, Don Flaherty, Darlene Evans, Rock Your World, Eric & Kayla Soleglad, Daniel Kolbow, Shannon Valdivia, Mysti Maka, Cathy Asher, L Crowley, Patricia Cochran, Wendelin Brown, all were against the ordinance. Ben Stanford, Richard Briggs, and Kelsey Stanford were in favor of the ordinance. The Council had a discussion with Mr. Townsend regarding the information provided. Rich Briggs spoke in favor of the ordinance. Mayor Wahlke closed the public hearing at 9:04 PM.

MOTION: Motion to Close the Public Hearing and the Record for Ordinance 2024-12 An Ordinance Amending the City of Lincoln City Municipal Code, Title 17 (Zoning),

MOVER: Judy Casper, Councilor Ward 3

SECONDER: Rick Mark, Councilor Ward 3

AYES: Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke

RESULT: Passed via Voice Vote

5. Public Hearing Ordinance 2024-13 ZOA 2024-08 (Indoor Recreation Facilities)

Mayor Wahlke opened the public hearing at 9:10 PM. Richard Townsend reviewed the staff report. No Citizens were present for public comment. Mayor Wahlke closed the hearing at 9:16 PM.

MOTION: Motion to Close the Public Hearing and Record for Ordinance 2024-13 An Ordinance Amending the City of Lincoln City Municipal Code, Title 17 (Zoning),

MOVER: Rick Mark, Councilor Ward 3

SECONDER: Mitch Parsons, Councilor Ward 1

AYES: Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke

RESULT: Passed via Voice Vote

J. ORDINANCES

6. Ord 2024-10/ZOA 2024-04 SUBDIVISION LOT SIZES

MOTION: Motion to Approve First Reading of Ordinance 2024-10 An Ordinance Amending the City of Lincoln City Municipal Code, Title 16 (Subdivisions), Repealing Sections 16.12.210 and 16.12.220

MOVER: Rick Mark, Councilor Ward 3

SECONDER: Judy Casper, Councilor Ward 3

AYES: Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke

RESULT: Passed by Roll Call Vote

7.

MOTION:	Motion to Approve Second Reading and Adoption of Ordinance 2024-10 An Ordinance Amending the City of Lincoln City Municipal Code, Title 16 (Subdivisions), Repealing Sections 16.12.210 and 16.12.220
MOVER:	Marci Baker, Councilor Ward 2
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Roll Call Vote

8. Ord 2024-11 ZOA 2024-05 NELSCOTT COTTAGE RESIDENTIAL

Mayor Wahlke said that the ordinance has blanks; and that it says the Planning Commission was in favor and that is incorrect.

MOTION:	Motion to Approve First Reading of Ordinance 2024-11 An Ordinance Amending the City of Lincoln City Municipal Code, Title 17 (Zoning),
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Marci Baker, Councilor Ward 2
AYES:	Hoagland
NAYS:	Baker, Barker, Casper, Mark, Parsons, Wahlke
RESULT:	Failed by Roll Call Vote

9.

MOTION:	Motion to Direct Staff to Bring Back Information from the Citizens Involvement Committee Pertaining to the Tools and Resources Available
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Voice Vote

10. Ord 2024-12 ZOA 2024-07 BUILDING LOT COVERAGE

MOTION:	Motion to Approve First Reading of Ordinance 2024-12 An Ordinance Amending the City of Lincoln City Municipal Code, Title 17 (Zoning),
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Roll Call Vote

11.

MOTION:	Motion to Approve Second Reading and Adoption of Ordinance 2024-12 An Ordinance Amending the City of Lincoln City Municipal Code, Title 17 (Zoning),
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Voice Vote

12. Ord 2024-13 ZOA 2024-08 INDOOR RECREATION ESTABLISHMENTS

MOTION:	Motion to Approve the First Reading Ordinance 2024-13 An Ordinance Amending the City of Lincoln City Municipal Code, Title 17 (Zoning),
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Roll Call Vote

13.

MOTION:	Motion to Approve the Second Reading and Adoption of Ordinance 2024-13 An Ordinance Amending the City of Lincoln City Municipal Code, Title 17 (Zoning),
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Roll Call Vote

14.

MOTION:	Motion to Approve First Reading of Ordinance 2024-15 Adding Sign Requirements Fireworks to Short Term Rentals
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Roll Call Vote

David James Robinson read the staff report and a public comment in favor of this ordinance from Janet Knipe of REIA. The Council and Staff had a discussion on how to get the materials to the owners of the STRs.

15.

MOTION:	Motion to Approve Second Reading and Adoption of Ordinance 2024-15 Adding Sign Requirements Fireworks to Short-Term Rentals
MOVER:	Todd Barker, Councilor Ward 1
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Roll Call Vote

16.

MOTION:	Motion to Approve First Reading of Ordinance 2024-16 Amending Farmers Market Ratio
MOVER:	Todd Barker, Councilor Ward 1
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Roll Call Vote

The Council and Staff discussed the Farmers' Market.

17.

MOTION:	Motion to Approve Second Reading and Adoption of Ordinance 2024-16 Amending Farmers Market Ratio
MOVER:	Todd Barker, Councilor Ward 1
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Roll Call Vote

K. RESOLUTIONS

18. Resolution 2024-28: Pacific Power easement - Schooner Creek Discovery Park

MOTION:	Motion to Approve Resolution 2024-28: Pacific Power Easement - Schooner Creek Discovery Park
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Todd Barker, Councilor Ward 1
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Roll Call Vote

19. Resolution No. 2024-29 A Resolution of the City of Lincoln City, Adopting the Supplemental Budget for the Fiscal Year 2024-25, as Approved by the City Council, and Making Appropriations

MOTION:	Motion to Approve Resolution 2024-29: Adopting the Supplemental Budget for FY2024-25
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Todd Barker, Councilor Ward 1
AYES:	Baker, Barker, Casper, Hoagland, Mark, Wahlke
RECUSED:	Parsons
RESULT:	Passed by Roll Call Vote

Councilor Parsons recused himself due to a potential conflict of interest.

L. SPECIAL ORDER OF BUSINESS

20. Fourth of July Drone Display Vendor Contract and Presentation

MOTION:	Motion to Approve the Three-Year Contract with Sky Elements
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Mark, Wahlke
NAYS:	Baker, Barker, Casper, Hoagland, Parsons
RESULT:	Failed by Roll Call Vote

Kim Cooper gave a presentation regarding the 4th of July Drone Display. The Council and Staff had a discussion regarding the information.

21.

MOTION:	Motion to Direct Staff to Reach Out to Sky Elements Drone Shows and Comeback with a One-Year Contract
MOVER:	Marci Baker, Councilor Ward 2
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Barker, Casper, Mark, Wahlke
NAYS:	Baker, Hoagland, Parsons
RESULT:	Passed by Roll Call Vote

22. Reappointment to Sustainability Committee - Applicant Leonard Folino

MOTION:	Motion to Approve the Abbreviated Re-Appointment Process to Sustainability Committee Applicant Leonard Folino
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Todd Barker, Councilor Ward 1
AYES:	Baker, Barker, Casper, Hoagland, Mark, Wahlke
NAYS:	Parsons
RESULT:	Passed via Voice Vote

M. CITY MANAGER/CITY ATTORNEY REPORTS

No City Manager report.

City Attorney David Robinson said there is an LOC in-person training on December 3rd in Newport. Mr. Robinson spoke about the earlier ethics accusation.

N. ACTIONS, IF ANY, BASED ON WORK SESSION, EXECUTIVE SESSION OR PUBLIC COMMENT

23.

MOTION:	Motion to Direct Staff to Strike the Sentence "External Generators are Prohibited" from 12.80.170 for Food Trucks
RESULT:	Died Without a Second

24.

MOTION:	Motion to Direct Staff to Advise Council as to Why the City Banned External Generators for Food Trucks/Pods
MOVER:	Marci Baker, Councilor Ward 2
SECONDER:	Todd Barker, Councilor Ward 1
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Voice Vote

25.

MOTION:	Motion to Direct Staff to Follow-up or Respond to Kerri Biddle's Complaint
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Marci Baker, Councilor Ward 2
AYES:	Baker, Barker, Casper, Hoagland, Mark, Parsons, Wahlke
RESULT:	Passed by Voice Vote

O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS

Roger Swanton spoke regarding the housing development on SE 31st Street and the neighborhood traffic. Mr. Swanton suggested using SE 32nd to exit since there is a traffic light. Mr. Swanton spoke about Sky Elements and the music licensing.

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Mark spoke about the SE 31st Street housing development and having staff look into it. The Council gave consensus for the Planning Director to bring information back.

Councilor Barker as for consensus to send an email about beach sustainability. The Council gave consensus.

Councilor Hoagland spoke about Indigenous People's Day and gave the history to the Council.

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 10:30 PM.

//S//

SUSAN WAHLKE, MAYOR

ATTEST:

//S//

JAMIE YOUNG, CITY RECORDER